

# The Hatchet

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## CRIMINOLOGY

### Shall We Brand and Execute the Habitual Criminal.

Special to the Hatchet.

Since the dawn of civilization criminologists and penologists have made a deep study of the ways and means to successfully deal with the habitual criminal, and, up to date, have signally failed in getting their ideas incorporated into laws. Not because they have not used due exertion and well directed intelligence, but for the reason that the people, densely and grossly ignorant of the subject, have, in their narrow-minded, perverse way, hindered and blocked every effort. Prison congresses called to devise feathered-brained schemes for the amelioration of the condition of the poor prosecuted convict, societies formed to reform and reclaim the criminal in prison and after his release, weak headed pardoning power, and silly, foolish, sentimental women are responsible in a great measure for prevalence of crime and the startling ratio of its increase. Why sympathy or leniency should be extended to a well known, habitual criminal or one known to possess criminal tendencies is beyond my ken. A burglar, footpad, or highway robber is a murderer at heart and will not hesitate to commit murder if caught in the act or while resisting arrest.

Yet the dear people will insist upon protecting, aiding, and even showering blessings upon the heads of these worst of all criminals. Court procedure in the United States has arrived at a stage where the whole intent appears to be the protection and acquittal of the prisoner. The entire exemption of the accused from interrogation should be elect not to take the stand; the incompetency of certain witnesses to testify against him; the impossibility of using a confession made by him subsequent to the trial, should he plead not guilty; refusing to accept certain evidence; ruling certain questions to be misleading, immaterial, irrelevant, etc., has enabled many a criminal to escape who richly deserved punishment.

Nor can we expect to remedy these appalling defects until the time shall have arrived when the people in sheer desperation will demand and secure a cessation of such abominable practices by the election of men to office pledged to correct these abuses. Every fair-minded person wishes to see a fair fight between the prisoner at the bar and the prosecution, an impartial trial, a true verdict, and the benefit of a doubt given to the accused.

When one stops to consider that the prisoner must be found guilty by a preponderance of evidence, by a jury of twelve whose verdict must be unanimous; that he is presumably innocent until proven guilty beyond a reasonable doubt, one cannot help thinking the accused is getting, at least, all he is entitled to. What experience is more horrible than that of being held up at the point of a revolver or being sand-bagged by a murderous highwayman or footpad. One not only loses one's money (the smallest loss) but one's nerves for all time and ten or twenty years of existence. Yet our reformers, visionary theorists, ask us to love these gentlemen.

The only good lessons one learns in this life are learned by hard, practical, actual experience, and the average individual has to have his head bumped repeatedly to learn each separate lesson. No one who has not been brought into actual contact with criminals, dealt with them, governed them, apprehended them, etc., can have the right idea of how they should be dealt with. The enactment of laws designed to have a reformatory effect upon criminals has been productive of no good, and this fact was openly admitted to be true at the last meeting of the National Prison Association. But, astounding as it may seem, in the face of repeated admission of this nature by theoretical reformers of the criminal, and the further admission that crime, instead of being less frequent, was constantly on the increase, the people still insist upon the possibility of reforming the habitual criminal. You can not reform a criminal against his will any more than you can hypnotize or instill religion into an individual against his will. How then can we reform him?

The most eminent criminologists of the world assert, and their asser-

tions have not been denied, but on the contrary, admitted by associations and individuals interested in the subject, that habitual criminals can not be reformed by the existing laws, moral suasion, kindness or rigid prison rules and discipline. No one denies that the convict convicted for the first time can be reformed in some instances, because he can. All convicts are not criminally inclined, and those that are not will, as a rule, upon their release from prison go forth to do battle with the world without one thought of wrong doing. They are not looking for the help of the reformer, because they know full well that the reformer quits reforming when he is asked to go into his pocket.

If the habitual criminal can not be reformed, what are we to do with him? Clearly we must solve this problem, and if all the great and recognized criminologists and penologists are as a unit in their conclusions relative to the modus operandi to be pursued, surely their ideas should outweigh the visionary, impracticable theories of the well meaning but mistaken associations and individuals. The crying need of the day is for laws framed on correct, scientific principles, uniform, so far as possible, in all the states, and rigorously enforced. It is impossible to lay too much stress on this matter; it is vital and urgent. The basis of criminal law, as we have it to-day is found in a series of loose definitions and descriptions complicated by judicial comments, rulings, constructions and interpretations, which make the definition of individual offences and gradations of penalties impossible without scientific systematization. With a code of laws framed on a purely scientific basis, put into effect and enforced by clean, practical men, the result will be all that can be desired. It is high time for the people to interest themselves in this subject and elect men to office who are pledged to enact and enforce suitable, practical, and effective measures that will act as a deterrent against the commission of crime. No milk and water legislation will do; we must adopt drastic, severe, heroic measures.

Ohio has made a stride in the right direction by enacting an habitual criminal's act, which provides for the imprisonment for life of individuals convicted of crime for the third time. The legislature of California will be called upon at its coming session to enact a law providing for the imprisonment for life or extermination of the habitual and incorrigible criminal.

The direct cause of this crusade against the habitual criminal is a prisoner named Oppenheimer, who is confined in the San Quentin, Cal. prison. He is without doubt one of the worst criminals with whom the State has ever had to deal. He is absolutely vicious and without moral sense. Three times he has attempted to murder his keepers, and they must be constantly on their guard to protect their lives. Neither kindness or prison discipline have any effect upon him. To turn him loose upon the community would simply be to give him another opportunity to commit crime. Confined in the same prison are several men whose records for total depravity are almost as black, and the fact that the time is approaching when these human fiends must be released is the cause of dread to every law abiding citizen of that State. There is probably no penal institution of any importance in the civilized world where there are not more incorrigible criminals who might well be put to death. A human fiend, absolutely vicious, without moral sense, although in full possession of his ordinary faculties, should be exterminated after careful examination by a board of experts appointed for that purpose.

I do not think hanging or electrocution the best methods for executing condemned criminals, for the reason that so many mishaps have attended executions by those methods and too strongly emphasized the horror of the scene. The lethal chamber, a cell to which death would come quickly and without pain (or publicity) through the agency of chlorine gas, either or hydrocyanic gas conducted thither by pipes, would, in the opinion of those in a position to know, be the most humane and satisfactory method to adopt. The condemned would pass away as peacefully as if he simply falling asleep. All execution in a state should take place within the walls of the state prison; this will become

apparent to all without explanation here.

If one or more states decree that habitual criminals be put to death or imprisoned for life, it becomes necessary to devise a plan to positively identify criminals convicted for the third time. The Bertillon system of identification by measurement is infallible, and has been recognized as such and adopted in all parts of the world. It is based on the fact that after one attains full growth certain measurements of the body and limbs do not change and that in certain particulars no two individuals are alike. This system taken in connection with photography, marks, scars, deformities, color of hair and eyes, height, weight, condition of teeth, peculiarities in build and features, and the further mark of identification I am about to propose makes identification easy and absolutely certain and insures the possibility of punishing criminals in one state whose records in other states entitle them to the full limit of the law. I would propose that the convict convicted for the third time of such crimes as murder, manslaughter, attempt to murder, murderous assault, highway robbery, rape, burglary, arson or larceny be marked for life by tattooing upon his back a sufficient mark of identification—say, the number of the prison and his prison number, in figures large enough to preclude the possibility of obliteration. Should an attempt be made to alter or obliterate this mark traces, discoverable (by the glass if necessary) would be left sufficiently plain to make identification easy. This tattooing would do more to reform the convict than all the prison associations on earth. It would act as a deterrent against the commission of crime for the second time and an almost positive preventative against the commission of the third offence. Any convict convicted for the third time of grave offence could safely be put down as an habitual and incorrigible criminal and given life imprisonment or the lethal chamber without fear of making a mistake. It is only after the prisoner has been found guilty of the subsequent offence that the question whether he has been previously convicted should be gone into, unless he offers evidence of good character in the trial for the offence, in which case the prosecution may prove the previous conviction. But after conviction and while in prison his record may be looked up, and if it be found that he has been convicted before of grave crime he must be tattooed as the law may specify.

Every prison in the United States should furnish every other prison with photographs of its convicts, measurements by the Bertillon system, marks, scars, date of commitment, term of imprisonment, etc.

It will be interesting to note the alacrity with which habitual criminals will get out of California after the passage of the proposed habitual criminals act. In a short time they will have purged herself of that most undesirable element, and the States not having such a law will have something to think over. Sooner or later they will be compelled in self defence to enact a similar measure. May God speed the day.

C. J. McCorm, Criminologist.

HEURICH'S SENATE.—It is beer, and the very purest and best. Call for it. Bottled by the Arlington Bottling Co., 27 and K street, northwest.

## HISTORY.

Nova Scotia having been ceded to Great Britain by the treaty of Aix-la-Chapelle, Parliament voted \$200,000 to pay the expenses of settling an English colony there. Nearly thirty-eight hundred adventurers were sent over in 1749, and settled on the borders of the Bay of Chebuto, where they founded the town of Halifax, and fortified it as the seat of the English government there. These colonists were accompanied by Col. Edward Cornwallis as their governor. The Acadians or former French settlers were allowed peaceable to remain there, and having

sworn never to take up arms against their countrymen, submitted to the English government, and were called "French Neutrals."

The treaty of Aix-la-Chapelle signed in 1748, between Great Britain, France, Holland, Germany, Spain and Greece, was a famous one, and was signed by the representatives of these respective powers on the eighteenth of October of that year. By it the treaties of Westphalia 1648, of Wimeguen 1678-79, of Ryswick 1697, of Utrecht 1713, of Baden 1714, of the Triple Alliance 1717, of the Quadruple Alliance 1718, and of Vienna 1738 were renewed and confirmed.

At the close of the war of 1812-15, the second war for independence, the real and personal capital of the people of the United States was as follows: Real property, public lands, 500,000,000 acres at \$2 an acre, \$1,000,000,000; cultivated lands 300,000,000 acres at \$10 an acre 3,000,000,000; dwelling houses of all kinds, \$1,000,000,000.

When Mr. Lincoln entered upon the duties of President of the Republic (March 4, 1861), the total regular force of the army was sixteen thousand men, and these were principally in the Western States and Territories, guarding the frontier settlers against the Indians. The forts and arsenals on the seaboard especially within the slave-labor States, were so weakly manned or not manned at all, that they became an easy prey to the insurgents. The consequence was that they were seized; and when the new administration came into power of all the fortifications within the slave-labor States, only Fortress Monroe in Virginia, and forts Jefferson, Taylor and Pickens, on the Gulf coast, remained in possession of the Government. The seized forts were sixteen in number. They had cost the Government about \$6,000,000, and had an aggregate 1226 guns. All the arsenals in the cotton growing States had been seized.

The national society of "Sons of the American Revolution" was organized in New York April 30, 1889, and chartered in Connecticut in 1890. Its purposes are the same as those of the older organization, the "Sons of the Revolution." State societies exist in thirty-eight States, the District of Columbia and Hawaii. A California society of descendants of Revolutionary patriots, entitled "Sons of Revolutionary Sires," organized July 4, 1875 having reorganized and changed its name in 1889, has been admitted to membership. A formal movement by this society and the "Sons of the Revolution" toward a union was attempted in 1892, and again in 1897, but was successful.

## CURIOUS FACTS.

Women employed on Japanese tea farms work twelve hours and are paid fifteen cents a day.

The baron of beef—two sirloins joined together by the end of the backbone—is always served on the royal table at Windsor Castle, Christmas day.

A snail's pace was carefully observed recently in Florence, Italy. Several of the molusks were placed between two points ten feet apart, and started. It was ascertained that the fastest snail in the race traveled at the rate of a mile in fourteen days.

The number of winks in a given time is found by Kots, a Russian physician, to furnish a fairly accurate measure of the degree of eye fatigue caused by various illuminants. This method gave the following unexpected results from readings of ten minutes: with a candle, 6.8 winks a minute; city gas, 2.8; sunlight, 2.2; electric light, 1.8.

Russian soldiers are supplied with handkerchiefs at the expense of the government.

Every day there hangs over London a vast smoke cloud that is estimated to weigh about three hundred tons.

A newspaper printed on the excursion steamer Ophio, published one number in eighty degrees north latitude. It claims to be the paper published farthest north of any on record.

Spiders are a serious plague in Japan. They spin their webs on the telegraph wires, and are so numerous as to cause a serious loss of insulation. Sweeping the wires does little good, as the spiders begin all over again.

The only place where "black diamonds" are found is in the Brazilian province of Bahia. They are usually found in river beds and brought up by divers. Others are obtained by tunneling mountains. The largest specimen ever found was worth \$20,000.

The number of soldiers slain battle depends a great deal on the color of their uniforms. The more flashy and conspicuous the helmet and jacket the better the target, and consequently the greater the mortality. Red attracts the eye most readily, and twelve men wearing that color are killed to seven in rifle green, or six in blue, or five in either brown, blue or gray.

Water is the hardest of all substances to heat, with the single exception of hydrogen gas. The easiest two are mercury and lead, which stand in this respect on nearly the same footing.

Horses, giraffes and ostriches have the largest eyes of all terrestrial animals, but among marine animals there are cephalopods or ink fishes which have eyes as large as a plate.

Among the curiosities in deeds, attention is called to one in Belfast, which gives the course and distance "to a hole in the roof of the shed of the blacksmith shop." This, H. P. Farrow, the Belfast engineer, says, should be considered an "indestructible monument," as the hole still remains, although the shed was burned away years ago. Another queer deed is of a shipyard in Rockport, and one course is described as "in line with the bow of two vessels now building at said shipyard."

## ITEMS OF INTEREST

An expert chiropodist is assigned to every regiment of German soldiers.

There are no railroad in Persia. In traveling facilities that country is a century behind the age.

The latest invention is a shoe which has an electric contrivance in the heel, from which gentle heat is diffused through little holes in the sole to keep the entire foot warm.

Duplicates of all the important bridges in the empire are kept in the German War Department. This is to insure their rapid replacement in case of their injury or destruction in war.

An invitation to a dinner in Manila includes an invitation to stay all night. This custom prevails because all persons found on the streets after 8.30 p. m. are subject to arrest by the military unless they have passes.

A cylindrical pillow of old papers, placed under the neck is helpful in inducing slumber. The pillow thus used checks the flow of blood to the head. The Chinese and Japanese use this method to woo the god of slumber, and nearly with success.

Arrangements for the funeral of Miss Lizzie Walsh, aged eighteen, were in progress at her home in St. Paul, Minn., the undertaker was about to embalm the body and the relatives were tearfully mourning their bereavement when the supposed corpse opened her eyes, bounded from the bed and asked an explanation of the unusual fuss. The girl had been in a trance.

Heurich's beer is the purest in the market, as can be tested in the Extra Pale Lager bottled by the Arlington Bottling Co., 27th and K streets, northwest.

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